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PTO/SB/05 (11-00)

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 16518.134

First Inventor Katayoon DEHESH

Title Nucleic Acid Sequences Encoding  $\beta$ -Ketoacyl-ACP Synthase and Uses Thereof

Express Mail Label No.

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 38]  
(preferred arrangement set forth below)
  - Descriptive title of the Invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 6]
5. Oath or Declaration [Total Pages 4]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 CFR 1.63 (d))  
(for a continuation/divisional with Box 18 completed)
  - i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

## ADDRESS TO:

Mail Stop Application Number  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - a. ☒ Computer Readable Form (CRF)
  - b. Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☒ paper
  - c. ☒ Statements verifying identity of above copies

## ACCOMPANYING APPLICATIONS PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: (i) appointment of associate attorneys; and (ii) a copy of revocation of prior power of attorney and appointment of new attorneys of record filed in parent application no. 09/915,182

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)

of prior application No: 09/915,182 / July 25, 2001

Prior application information: Examiner Russell KALLIS

Group / Art Unit: 1638

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 17. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

28381

(Insert Customer No. or Attach bar code label here)

or ☐ Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

David R. Marsh/Rachel L. Adams

Registration No. (Attorney/Agent)

41,408/54,660

Signature

*Rachel L. Adams*

Date

December 12, 2003

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

# ARNOLD & PORTER

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December 12, 2003

*Mail Stop Application Number*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Divisional Application  
Based on U.S. Application No. 09/915,182, filed July 25, 2001  
Appl. No.: To Be Assigned  
Filed: Herewith  
Title: **Nucleic Acid Sequences Encoding  $\beta$ -Ketoacyl-ACP Synthase and  
Uses Thereof**  
Applicant: Katayoon DEHESH  
Atty. Docket: 16518.134

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.  
Patent and Trademark Office (PTO):

1. Utility Patent Application Transmittal (PTO/SB/05);
2. U.S. Divisional Application entitled:  
**Nucleic Acid Sequences Encoding  $\beta$ -Ketoacyl-ACP Synthase and Uses  
Thereof**  
and naming as inventor:  
**Katayoon DEHESH;**  
the application consisting of:
  - a. a specification containing:
    - (i). 32 pages of a description prior to the claims;
    - (ii). 5 pages of claims (36 claims);
    - (iii). 6 sheets of drawings (Figures 1-4);
    - (iv). a one (1) page abstract;
    - (v). 4 pages of a paper copy of the sequence listing;

3. a sequence listing in Computer Readable Form (CRF), on floppy diskette;
4. a Statement Regarding Sequence Submission;
5. a copy of an Appointment of Associate Attorneys filed in parent application no. 09/915,182;
6. a copy of the most recently executed Declaration and Power of Attorney filed in parent application no. 09/915,182;
7. a copy of a Revocation of Prior Power of Attorney and Appointment of New Attorneys of Record filed in parent application no. 09/915,182;
8. a Recordation Form Cover Sheet;
9. a copy of an Assignment executed by inventor Katayoon DEHESH;
10. a Preliminary Amendment; and
11. two (2) return postcards.

This application is a divisional of U.S. Application No. 09/915,182, filed July 25, 2001, which claims the benefit under 35 U.S.C. § 119(e) of U.S. Patent Application Serial No. 60/220,702, filed July 25, 2000. U.S. Provisional Application Serial No. 60/220,702, filed July 25, 2000, and U.S. Patent Application Serial No. 09/915,182, filed July 25, 2001, are herein incorporated by reference in their entirety.

Submitted herewith is a sequence listing in Computer Readable Form (CFR), on floppy diskette.

The sequence listing in Computer Readable Form (CRF) contains one file called "SeqList16518134.txt" which is 6,213 bytes in size (measured in MS-DOS) and was created on December 11, 2003.

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Commissioner for Patents  
Atty. Dkt.: 16518.134  
December 12, 2003  
Page 3

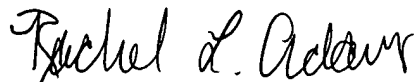
Applicants request that \$972.00 for the following fees be charged to Deposit Account No. 50-2387, referencing matter number 16518.131:

<u>\$770.00</u>	basic filing fee;
<u>\$162.00</u>	Additional claims fees; and
<u>\$ 40.00</u>	Assignment recording fee.

Please stamp one of the two attached postcards with the filing date of these documents and return it to our courier, and stamp the other prepaid postcard with the filing date and unofficial application number and return it as soon as possible.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicant does not believe any additional fees are due in conjunction with this filing. However, if any fees under 37 C.F.R. §§ 1.16 or 1.17 are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter Deposit Account No. 50-2387, referencing matter number 16518.134. A duplicate copy of this letter is enclosed.

Respectfully submitted,



David R. Marsh (Reg. Attorney No. 41,408)  
Rachel L. Adams (Reg. Attorney No. 54,660)

Attachments